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on July 10, 2007

TOWNSEND and TOWNSEND and CREW LLP

By: 

PATENT

Attorney Docket No.: 02307K-154610US

Client Ref. No.: 2002-422-2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

CHENG et al.

Application No.: 10/512,124

Filed: August 26, 2005

For: METHODS FOR STIMULATING  
TLR/IRF3 PATHWAYS FOR  
INDUCING ANTI-MICROBIAL, ANTI-  
INFLAMMATORY AND  
ANTICANCER RESPONSES

Customer No.: 20350

Confirmation No. 8432

Examiner: Dang, Ian D.

Technology Center/Art Unit: 1646

RESPONSE TO RESTRICTION  
REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement mailed May 15, 2007, Applicant elect Group 1, claims 1-17 and 20-21, drawn to methods of activating interferon regulator 3 in a cell comprising contacting a cell with a molecule that stimulates the Toll-like receptors (TLR). Applicants further elect the following species for the purposes of searching: (a) TLR3 as the species of TLR and (k) poly I:C as the species of TLR ligand. As noted by the Examiner, upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of the allowed generic claim. Of elected Group I, claims 1, 2, 4-8, 10-17, 20, and 21 read on species TLR3 and poly I:C. Claims 3 and 9 read on poly I:C but not on TLR3.

The foregoing election is made with traverse, as the three groups set forth by the Examiner all stem from a common concept and theory, and are thus related. As such, prosecution of the claims of Groups I-IV would not place a substantially greater burden on the Examiner. Applicants therefore respectfully request that the Examiner withdraw the Restriction Requirement and consider all the claims together.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

A handwritten signature in cursive script that reads "Annette S. Parent".

Annette S. Parent  
Reg. No. 42,058

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